

Callister Nebeker & McCullough
Marc L. Turman (11967)
Zions Bank Building, Suite 900
10 East South Temple
Salt Lake City, Utah 84133
Telephone: (801) 530-7300
Facsimile: (801) 364-9127
Email: mturman@cnmlaw.com

Attorneys for Plaintiff,
Vickie Lynn Walker

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

VICKIE LYNN WALKER, an individual,

Plaintiff,

v.

JASON K. BROWN, an individual; JERRY KERSHAW, an individual; WEST STATES INVESTMENTS, INC., doing business as WEST STATES INVESTMENTS, a Utah corporation; and DOES 1 through 10,

Defendants.

WALKER'S RESPONSE TO ORDER TO SHOW CAUSE WHY THE COURT SHOULD NOT ENTER JUDGMENT

Case No. 2:09CV811DAK

Judge Dale A. Kimball

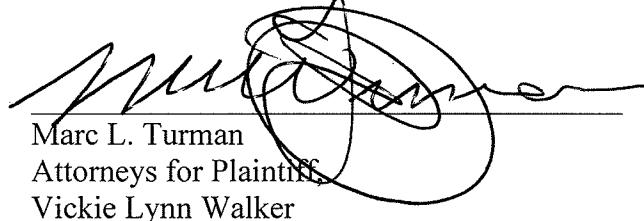
Vickie Walker does not oppose the defendants' confession of judgment and request for entry of judgment on Walker's first cause of action for breach of contract. Consistent with the confession of judgment Walker requests that judgment be entered against each of the defendants, jointly and severally, on Walker's breach of contract claim in the principal amount of \$250,000, together with interest thereon at the rate of twelve percent per year from September 2007 until paid.

Walker further requests that the court enter an order certifying the judgment on Walker's breach of contract claim as a final judgment under rule 54(b) of the Federal Rules of Civil Procedure, pursuant to the parties' stipulated joint motion being filed along with this response brief.

Jason Brown, one of the defendants, has told Walker that he intends to pay the judgment and settle Walker's claims within 30 days. Based on this representation Walker has agreed to temporarily suspend seeking a judgment against defendants on her remaining causes of action. Defendants, in turn, have agreed to have final judgment on Walker's breach of contract claim entered against them so that Walker can obtain a judgment lien without further delay and secure her priority over other creditors of defendants if defendants fail to satisfy the judgment.

DATED this 12th day of November 2009.

CALLISTER NEBEKER & McCULLOUGH



Marc L. Turman
Attorneys for Plaintiff
Vickie Lynn Walker

CERTIFICATE OF SERVICE

I hereby certify that on November 12th, 2009, a true and correct copy of the foregoing **WALKER'S RESPONSE TO ORDER TO SHOW CAUSE WHY THE COURT SHOULD NOT ENTER JUDGMENT** was mailed by first-class mail, postage prepaid, to the following:

Walter T. Keane
Walter T. Keane, P.C.
2825 Cottonwood Parkway, Suite 500
Salt Lake City, Utah 84121

Jason K. Brown
11064 Sir Barton Lane
South Jordan, Utah 84095

Jerry L. Kershaw
10945 Surrey Meadow Cove
South Jordan, Utah 84095

West States Investments, Inc.
c/o Jason K. Brown, Registered Agent
11064 Sir Barton Lane
South Jordan, Utah 84095

